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EXAMINER	
MEHRA, INDER P	

ART UNIT	PAPER NUMBER
2617	

DATE MAILED: 10/13/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/069,787	FREYENBERG, CHRISTIAN	
	Examiner	Art Unit	
	Inder P. Mehra	2617	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *3/8/06*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-9* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-9* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☒ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *28 February 2002* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☒ All b)☐ Some * c)☐ None of:

1.☒ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date *2/282002*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

1. This office action is in response to application dated: 3/8/06. Claims 1-9 are pending.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the first paragraph of 35 U.S.C. 112:

> The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

Claims 1-9 are rejected under 35 U.S.C. 112, first paragraph, because the specification, while being enabling for the limitation, "**converting the signaling information being converted in the switching center to at least one message which is transmitted to at least one telecommunications service server which is connected to the switching center**", does not reasonably provide enablement for (claim 1, lines 10 and 11), "**message is transmitted from the telecommunication service server via the internet to the at least one telecommunications service server**". The specification does not enable an ordinary person skilled in the art to which it pertains, or with which it is most nearly connected, to make the invention commensurate in scope with claim 1. In fig. 1, ISDN-D channel servers **(8 and 9)** are shown as connected to switching center 5, and in fig. 2, ISDN D- channel server **(51)** is shown as connected to first switching center 52. In fig. 3, no server is shown connected directly with switching center 106, but large number of servers 110-111 are shown as connected via Internet to ISDN switching center 106. (Does it mean that the switching center is connected with two servers-one directly and the other indirectly via Internet at the same time or as an option between two choices.?) Appropriate clarification/correction is required without adding new matter.

Claim Rejections - 35 USC § 112

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. Claims 1-9 rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 1 recites the limitation "converting the signaling information being converted" in line 5. This limitation is confusing. Converting the signaling information which is already being converted. Double conversion is confusing.

Claim 1 recites limitation, "the server", in line 8, lacks antecedent basis, This limitation should be "the telecommunications service server" because this limitation is preceded by the same limitation in line 6.

Claim 1 recites limitation "message is transmitted", in line 10. It should be "message transmitted" There are two verbs in single sentence.

Appropriate correction/clarification is required.

Claim 6 recites the limitation "a server" in line 5 and further, recites "telecommunications service server" in line 8. In order to be consistent, "a server" should be "telecommunications service server" in line 5. There is only one type of "telecommunications service server" connected to the switching center, refer to specifications, page 2 line 29.

Claim 6 recites the limitation "the internet" in line 17. There is no antecedent basis for this limitation in the claim.

Claim 6 recites "received signaling information" in line 6. It lacks sufficient antecedent basis, because it is preceded by the same limitation in line 4.

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

6. Claims 1-2, and 6-9 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Ahuja,** .as above, in view of **Brand** (US Patent No. 6,810,034), hereinafter, Brand, further in view of **Zinda et al** (US Patent No. 6,393,437), hereinafter, Zinda.

For claim 1, Ahuja discloses, with reference to fig. 1, A method for processing signaling information (col. 2 lines 65-67) in a telecommunications network (ISDN), with a switching center (5) (central office switch 105) interchanging signaling information (col. 2 lines 65-67 with a subscriber terminal (10) (terminal equipment 101), with the signaling information (col. 2 lines 65-67) being converted in the switching center (5) (central office switch 105) at least one message (user data as well as signaling information, col. 2 line 65) which is transmitted to at least one telecommunications service server (access server 103) which is connected to the switching center (105) and with the telecommunications service server or servers (9) (access server103) carrying out the telecommunications services corresponding to the messages characterized in that the message is transmitted the Internet 113 to an Internet server (access server 103) , as the telecommunications service Server.

Ahuja does not disclose the following limitations, which are disclosed by Brand, in reference to fig. 2, as follows:

- converting the signaling information being converted in the switching center 220 and 215 to at least one message which is transmitted to at least one telecommunications service server 260 which is connected to the switching center220 and 215, (Brand discloses, "conversion system and method then contacts the appropriate server, which is connected to switching center", see abstract , and refer to col. 5 lines 25-33;
- with a telecommunications service, wherein the server carrying out the telecommunications services corresponding to the at least one message is transmitted via the Interact to the at least one telecommunications service server, refer to col. 5 lines 25-33 and abstract.

It would have been obvious to the person of ordinary skill in the art at the time the invention to use the capability of converting the signaling information being converted in the switching center to at least one message which is transmitted to at least one telecommunications service server which is connected to the switching center. The capability can be implemented in server. The motivation for doing so is to provide voice communication link with the recipient party..

For claim 6, Ahuja discloses An apparatus for processing signaling information in telecommunications network, , (ISDN, fig. 1), with a controller (line unit 111 and packet switch 109) being provided for transmitting, receiving and processing the signaling information (col. 3 lines 40-46) and being connected to a server(8) (access server 103) in a switching center (5) (central office switch 105), with the controller (7) having a device for converting received

signaling information (line unit 111 and packet switch 109), which relates at least to one telecommunications service, into messages (13) (refer to col. 3 lines 30-38, and col. 3 lines 40-46) and having an interface (12) for connecting at least one telecommunications service server (9) (access server 103) to the switching center (5) (central office switch 105), with the telecommunications service server or servers (9) (access server 103) being intended for carrying out the telecommunications service or services characterized in that the telecommunications service server or servers or are (an) Internet (113) server or servers (access server 103), which is or are connected to the Internet (113).

Ahuja does not disclose the following limitations, which are disclosed by Brand, in reference to fig. 2, as follows

- the controller having a device to convert received signaling information, which relates at least to one telecommunications service, into messages, and having an interface to connect at least one telecommunications service server 260 to the switching center 220 and 215, see abstract , and refer to col. 5 lines 25-33;
- the at least one telecommunications service server 260 configured for carrying out the telecommunications service, the at least one telecommunications service server is an Internet server 260 which is connected via an Internet to the switching center 220 and 215, refer to col. 5 lines 25-33 and abstract.

It would have been obvious to the person of ordinary skill in the art at the time the invention to use the capability of converting the signaling information being converted in the switching center to at least one message which is transmitted to at least one telecommunications service server which is connected to the switching center. The capability can be implemented in

server. The motivation for doing so is to provide voice communication link with the recipient party.

For claim 2, Ahuja discloses The method as claimed in claim 1,

- characterized in that the signaling information is control information for the ISDN D channel protocol, and the control information is interchanged via a D channel (2) (col. 2 lines 60-65) between the subscriber terminal (10) (Terminal equipment 101) and the switching center (central office switch 105) with the control information having ISDN service information for at least one ISDN service, which information is converted in the switching center (5) into messages and is transmitted to at least one ISDN D channel server (9) which is connected to the switching center (5) and corresponds to the telecommunications service server, and with the ISDN D channel server or servers (9) carrying out the ISDN service or services corresponding to the messages, (refer to col. 2 lines 50-67).

For claim 7, Ahuja discloses the apparatus as claimed in claim 6, as above, characterized in that

- the signaling information is control information for the ISDN channel protocol (col. 2 lines 65-67), and the controller (line unit 105 and packet switch 109) transmits and receives control information via a D channel with the interface

(12) being used for connecting at least one ISDN D channel server (9) as telecommunications service server, (refer to col. 3 lines 30-46).

For claim 8, Ahuja discloses the apparatus , refer to fig. 1, as claimed in claims 6 or 7, as above, characterized in that

- the telecommunications service server servers (access server 103) has have an interface for connection the switching center (5) (central office switch 105), with the interface receiving messages from the switching center (5) and calling telecommunications services, which correspond to the messages, on the telecommunications service server or servers (9), refer to col. 3 lines 1-5.

For claim 9, Ahuja discloses the apparatus as claimed in claim characterized in that

- the ISDN D channel , (col. 2 lines 64-67), server or servers (9) (access server 103, carries out or carry out the ISDN services corresponding to the control information. (col. 2 lines 64-67 and col. 3 lines 1-5),

7. Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over **Ahuja in view of Brand,,** .as above, in view of **Zinda et al** (US Patent No. 6,393,437), hereinafter, Zinda.

For claim 3, Ahuja discloses all the limitations of subject matter with the exception of the following limitations, which are disclosed by Zinda, as follows:

- the telecommunications service server or servers each has or have a large number of program routines for carrying out number of telecommunications services, with the

program routines being written relatively high level programming language, refer to col. 4 line 65 through col. 5 line 5.

It would have been obvious to the person of ordinary skill in the art at the time the invention to use the capability of program routines being written relatively high level programming language, as taught by Zinda . The capability can be implemented in server. The motivation for doing so is to provide various features of large files.

Response to Arguments

8. Aplicant's arguments filed 3/8/06 have been fully considered but they are not persuasive.

Applicant argues, Ahuja generally relates to enhanced Internet services provided over an ISDN line by eliminating from the D-channel any packets that will introduce unacceptable delay in packets transmitted over the B-channel. However, Ahuja fails to disclose that the signaling information is converted to at least one message in the switching center. The message is not converted in the switching center. Rather, in Ahuja, the messages of the D-channel are forwarded, if at all, in their original form through the packet switch but not converted to a new message.

In response, Examiner states that in ISDN interface, the D channel is used to carry control signal and customer call data in a packet switched mode. D-Channel provides the signaling information for each of voice channels. The call set up procedure associated with ISDN is carried out using a separate link known as signaling or D channel. Messages regarding "Scheduler/Admission control" 213, "Bonding Manager" 215, and "Control protocols" 217 are located both in Terminal equipment 101 in fig. 1, and also included in Access Server in fig 3, such as, "Scheduler/Admission control" 313, "Bonding Manager" 315, and "Control protocols"

317 . Both of these functional equipments are located on either side of D channel, which is signaling channel. In other words, signaling messages are communicated to server, refer to col. 6 lines 42-57.

Examiner , further, states that Brand (US Patent No. 6,810,034) discloses "this conversion system and method then contacts the appropriate server associated with the internet protocol address and transmits the message over the Internet Protocol network. The message is then transmitted from the appropriate server to the telephone number of the recipient party. Further, the Internet Protocol gateway has the messaging capabilities of an Intelligent Network service such as signaling system no.7 protocol", refer to abstract.

Applicant argues, "In this context, it appears that the Examiner erroneously assumes that an access server (103) in Ahuja is equivalent to the telecommunications services server (9) in the present invention. In Ahuja, the access server (103) is merely an access to the Internet. In contrast, in the present invention, telecommunications services for the telecommunications network are provided through the telecommunications services server (9). The access server (103) in Ahuja does not provide any telecommunications services and thus has a different function. Ahuja does not disclose any server that provides telecommunication services (for example, callback, call waiting, call forwarding).

In response, Examiner states, Brand discloses, "this conversion system and method then contacts the appropriate server associated with the internet protocol address and transmits the message over the Internet Protocol network. The message is then transmitted from the appropriate server to the telephone number of the recipient party. Further, the Internet Protocol

gateway has the messaging capabilities of an Intelligent Network service such as signaling system no.7 protocol", refer to abstract.

Further, Brand discloses, "the Internet Protocol gateway has the messaging capabilities of an Intelligent Network service such as signaling system no.7 protocol, refer to abstract.

Applicant argues, "Additionally, in Ahuja, there is no (telecommunication services) server connected to the switching center via the Internet. Even the access server (103) is connected to the central office switch (105) via an ISDN connection. In the present application, on the other hand, the telecommunication services server (9) is connected to the switching center (5) via the Internet. Accordingly, the messages are transmitted via the Internet to a telecommunications services server (9).

In response, Examiner states that Ahuja discloses "access server", refer to fig. 3 , is connected to central office switch 105 (switching center) via D channel, which is ISDN channel. However, Brand discloses, in reference to fig. 2, "The Internet Protocol network 240 then preferably contacts the server 260 in response to corresponding Internet Protocol address belonging to the recipient party", in the step 335.

Applicant, furthermore, argues, "Ahuja does not disclose that a server (8) is provided for processing signaling information of the ISDN D channel and for performing corresponding ISDN services. There is no such server in Ahuja. The access server (103) cited in the examination is merely for accessing the Internet, not for providing ISDN D channel services. Moreover, there is no ISDN D channel server (8) in a switching center (5) in Ahuja. The central

switch office does not have an ISDN D channel server, either internally or externally. In addition, the access server (103) cited in the examination is located outside of the central office switch (105). In the present invention, on the other hand, a control (7) is provided in the switching center (5), in which the control (7) has a device for converting received signaling information to messages. No such control is provided in the central office switch (105) in Ahuja, at least not for converting information. The packet switch 109 cited in the examination is merely a conventional packet switch that forwards/routes the data packets but does not convert them into new messages (see, column 3, lines 41 through 45).

In summary, Applicant argues, "Ahuja discloses the connection of an access server that provides an access to the Internet via ISDN at a central office switch. In the present invention, a telecommunications services server is connected via the Internet to a switching center for converting signaling information. Moreover, the solutions provided in the documents are completely different. In Ahuja packets are removed from the D channel in order to attain a better connection. In the present invention, on the other hand, packets are converted and transmitted via the Internet.

In response, Examiner states that Brand discloses "conversion system preferably utilizes an Internet Protocol Gateway and database", see abstract.

1. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO

MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Conclusion

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Inder P. Mehra whose telephone number is 571-272-3170. The examiner can normally be reached on Monday through Friday from 8AM to 5PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph Feild can be reached on 571-272-4090. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Inder Pal Mehra 10/10/06
Inder P Mehra
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JOHN PEZZLO
PRIMARY EXAMINER